

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

Bail Appl..No. 7594 of 2007()

CMP.9686/2007 of J.M.F.C.-I,NEDUMANGAD
CR.NO.138/07 OF ARYANAD EXCISE RANGE
.....

: PETITIONER/IST ACCUSED

[USHAPA,D/O. VIJAYAMMA, VISHNU BHAVAN
ANAKKARA, PEZHUMMOODU CHENCHERI
KOTTAKKAKAM MURI, ARYANAD VILLAGE,
NEDUMANGAD TALUK.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA EP. BY
PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11/12/2007, ALONG WITH BA NO.7700 OF 2007, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.Nos.7594 & 7700 of 2007

Dated this the 11th day of December, 2007

ORDER

These are applications for regular bail. Petitioners are the husband and wife. They face allegations in the same crime. The crux of the allegations is that 25 litres of wash, 18 litres of arrack and utensils for distillation of arrack were found in their possession on 7.11.07. The petitioner, wife could not be arrested on the date of the occurrence as there was no woman official available in the detecting excise party. Both of them surrendered on 12.11.07. They continue in custody from that date. The learned Public Prosecutor submits that the petitioners have no history of any criminal antecedents.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioners can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioners shall be released on bail on the following terms and conditions.

i) The petitioners shall execute bonds for Rs.50,000/- (Rupees Fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-